

DEFINITIONS

Overtime-eligible Employees are those employees who are covered by the overtime pay provisions of the Fair Labor Standards Act (FLSA) and/or applicable state rules and policies on premium overtime pay.

Overtime-exempt Employees are those employees who are not covered by the overtime pay provisions of the FLSA and/or applicable state rules and policies on premium overtime pay.

Eligibility for Premium Overtime Pay is determined by the FLSA, Merit Rule 31 IAC 2-11-2, Non-merit Rule 31 IAC 1-9-2, the Overtime Policy and Financial Management Circular 2004-01.

Work Schedule means a schedule of days and times in each pay period constituting the assigned hours of work for each employee. Full-time work schedules shall equal seventy-five (75) hours in each biweekly pay period unless otherwise approved by the State Personnel Director and State Budget Agency.

RESPONSIBILITIES

Employees are responsible for:

- working all scheduled hours and/or complying with any notice requirements for requesting use of accrued or other leave benefits,
- adhering to the assigned work schedule and communicating such schedule to co-workers and customers, and
- accurately recording hours of work and leave time on the official attendance report.

Supervisors are responsible for:

- determining operational needs and the work schedules necessary to meet those operational needs,
- allowing employees to choose a schedule to the extent compatible with operational needs,
- monitoring subordinates to ensure they are working all scheduled hours and/or complying with any notice requirements for requesting use of accrued or other leave benefits, and
- taking appropriate actions, including discipline, when an employee fails to abide by the assigned schedule and/or the requirements of this and related attendance and leave policies.

PROCEDURES

1. Agency Heads or designees will determine the appropriate hours of operation necessary to accomplish the mission of the agency.
2. Appointing authorities will determine shifts and assign employees' work schedules. Such assignments can be changed; however, changes cannot be made within the calendar week to avoid the payment of overtime.
3. Employees should receive reasonable advance notice of their shift or work hours and any changes thereto; however, agency heads or designees reserve the right to deviate from established notice practices in emergency circumstances.
4. Requests to establish regular work hours other than seventy-five (75) hours per biweekly pay period must be submitted in writing to State Personnel Department and State Budget Agency.

REFERENCES

IC 4-1-2-1
IC 4-15-1.8-7
IC 4-15-2-29
IC 35-44-2-4
31 IAC 1-9-1
31 IAC 1-9-2
31 IAC 2-11-1
31 IAC 2-11-2
Overtime Policy and Statement of Responsibilities & Procedures
Financial Management Circulars 2003-1, 2004-01, and 2004-02
Fair Labor Standards Act and Rules